S.B.Cr.Misc. Bail App. No. 5427/2007
(Ram Niwas and Ors. Vs. State of Rajasthan)

Date of order : 08/12/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.S.Rathore for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Mr. Ravindra Acharya for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State and counsel appearing for the complainant. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioners that the FIR was registered on the Parcha Bayan of injured Ramniwas who alleged that all the three persons inflicted injuries to him but which of the accused inflicted which of the injuries has not been stated. According to learned counsel for the petitioners, except the three injuries, all injuries are simple in nature and three injuries which are grievous in nature are on Metatarsal on the foot and ankle which are non-vital parts. The police has completed the investigation and challan has been filed and the trial is likely to take time.

Having regard to the facts and circumstances of the case and the fact that the injuries are on non-vital parts, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Ram Niwas S/o Rama

Kishan, Hari Ram S/o Rama Kishan and Om Prakash S/o Sita Ram adopted son of Ramchandra be released on bail in CR No.82/07 P.S. Merta Road, Nagaur, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP